

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LIVING WATER CHURCH OF GOD,
d/b/a Okemos Christian Center, a
Michigan Ecclesiastical Non-Profit
Corporation,

Plaintiff,

File No. 5:04-CV-6

v.

HON. ROBERT HOLMES BELL

CHARTER TOWNSHIP OF MERIDIAN,
et al.,

Defendants.

_____ /

ORDER AND JUDGMENT

On December 10, 2007, the Sixth Circuit reversed and remanded this Court's August 23, 2005, declaratory judgment for Plaintiff on its claim under the Religious Land Use and Institutionalized Persons Act ("RLUIPA"), 42 U.S.C. § 2000cc *et seq.* *Living Water Church of God v. Charter Township of Meridian*, Case Nos. 05-2309 & 06-1210 (6th Cir. Dec. 10, 2007). The Sixth Circuit issued its mandate on January 7, 2008. (Dkt. No. 116.) Thereafter, Plaintiff filed a motion to stay proceedings pending a decision on Plaintiff's petition for certiorari to the United States Supreme Court. (Dkt. No. 117.) On July 16, 2008, this Court denied Plaintiff's motion to stay proceedings as moot. (Dkt. No. 120.) Although Plaintiff raised a number of federal and state issues in its complaint, prior to trial the legal issues were narrowed to those involving RLUIPA. (Dkt. No. 80, Pl.'s Trial Br. 2

n.1; Dkt. No. 88, 8/25/05 Op. 1 n.1.) Accordingly, in light of the Sixth Circuit's determination that Defendant did not violate the RLUIPA,

IT IS HEREBY ORDERED that the August 23, 2005, opinion, order, and judgment of this Court (Dkt. Nos. 88, 89) are **VACATED**.

IT IS FURTHER ORDERED that **JUDGMENT** is entered in favor of Defendant Meridian Township.

This case is concluded.

Date: September 18, 2008

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE